UNITED STATES COURT OF APPEALS February 12, 2010

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker **Clerk of Court**

CLIFFORD N. HABECKER,

Plaintiff - Appellant,

v.

OKLAHOMA DEPARTMENT OF CORRECTIONS; RANDALL WORKMAN; MIKE ADDISON; BETH HOUSTON, Postal Clerk/Property Dept Supervisor,

No. 09-6180 (D.C. No. 5:08-CV-00574-R)

Defendants - Appellees.

ORDER

The captioned appeal is dismissed for lack of prosecution pursuant to 10th Cir. R.

42.1.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk

Elisabeth a. Shumaki